## IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS DALLAS DIVISION

| WINSTON WESLEY NOLES,         | § |   |
|-------------------------------|---|---|
|                               | § |   |
| PLAINTIFF,                    | § |   |
|                               | § |   |
|                               | § |   |
| V.                            | § | <b>CIVIL CASE NO. 3:20-CV-3677-N-BK</b> |
|                               | § |   |
| NICK DIAL, POLICE OFFICER,    | § |   |
| ROYSE CITY TX, IN HIS         | § |   |
| INDIVIDUAL CAPACITY AND KEITH | § |   |
| SHORT, POLICE OFFICER, ROYSE  | § |   |
| CITY TX, IN HIS INDIVIDUAL    | § |   |
| CAPACITY,                     | § |   |
|                               | § |   |
| DEFENDANTS.                   | § |   |

## ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE

The United States Magistrate Judge made findings, conclusions and a recommendation in this case. Plaintiff filed objections, and the District Court has made a *de novo* review of those portions of the proposed findings and recommendation to which objection was made. The objections are overruled, and the Court ACCEPTS the Findings, Conclusions and Recommendation of the United States Magistrate Judge. Accordingly, Plaintiff's First Amendment claims, filed pursuant to 42 U.S.C. § 1983, are DISMISSED WITH PREJUDICE. Defendant's pending *Motion for Summary Judgment*, which challenges only Plaintiff's section 1983 claims, is TERMINATED AS MOOT. *See* Doc. 55.

SO ORDERED this 20th day of March, 2023.

Case 3:20-cv-03677-N-BK Document 73 Filed 03/20/23 Page 2 of 2 PageID 384

CHIEF UNITED STATES

DISTRICT JUDGE